

I. CREATING AN AGRICULTURAL COMMISSION

What is an agricultural commission?

Agricultural commissions (AgComs) are committees formed at Town Meeting through the passage of a local bylaw. In the case of a city, an AgCom is formed through a recommendation from the city council and approval by the mayor. Under Massachusetts law, communities can create committees at the town level that serve in the interest of that town. Each town or city can decide what the duties and responsibilities of the AgCom will be.

For simplicity, this handbook refers primarily to town government. It is important to note, however that cities are also creating AgComs. Issues that are faced by both cities and towns and the functions of an AgCom are similar, so the information in this handbook will be helpful to city residents as well.

See Appendix A for examples of AgCom bylaws

What does an AgCom do?

- Serves as a local voice advocating for farmers, farm businesses and farm interests
- Provides visibility for farming
- Gives farmers a place to go to for help
- Works with town boards on issues facing farming in the town
- Helps resolve farm related problems or conflicts
- Protects farmland and other natural resources

“Our AgCom gives farmers an opportunity to network with each other and work with town boards on issues that make a difference to Rehoboth and its farm businesses.”

~ Richard Pray, 7th generation farmer, AgCom member, Oakdale Farms, Rehoboth

Who can start an AgCom?

Any local resident or group concerned for their community’s farming, farm businesses, growth, rural character, open space, etc., can start organizing support for an AgCom.

Why are AgComs formed?

Many towns trying to balance growth and quality of life issues are creating AgComs. The intent of an AgCom is simple: to protect agricultural lands, preserve rural character, provide a voice for farmers, and encourage agriculture based businesses.

Who can serve on an AgCom?

Anyone who is a resident of the town is eligible to sit on a town board or commission. However, the bylaw created and passed by the town determines the number of members and composition of the commission. In towns with existing AgComs there are several types of members – voting, alternate, and advisory. Each town should decide what type of membership and qualifications are appropriate for the community.

Are AgComs regulatory?

Unlike some other town committees, AgComs do not operate under any regulatory authority from the Commonwealth. While town conservation commissions implement the Massachusetts Wetlands Protection Act and planning boards enforce the local zoning code, AgComs are created at Town Meeting to represent farming interests in the town - but they do not have a legal mandate or enforcement authority.

“Sprawl and intense development are changing the landscape of our town and the economics of farming. In today’s world the highest and best use of our land is houses. I want to work with my neighbors and family to keep our farm going for the next generation.”

~ Dawn Gates Allen, 4th generation cranberry grower, AgCom member, Gates Cranberry, Middleborough

What are AgComs doing?

- Publicizing farm retail outlets in the town
- Raising monies for farmland protection and economic development
- Providing mediation and conflict resolution on farm related disputes within towns
- Collaborating with other town boards to review development proposals
- Holding educational workshops on intergenerational transfer of property
- Discussing Chapter 61 and 61A lands, farm viability, Agricultural Preservation Restrictions, and other state and federal grant programs
- Starting local farmers’ markets
- Obtaining technical assistance on conservation farm planning, nutrient management, environmental stewardship, and non-point source pollution management
- Adopting local right-to-farm bylaws
- Hosting farm festivals

“Our AgCom started in 1988 and was reorganized in 1997. Over the years we watched as support and assistance to farmers, from a variety of sources, was lost. Having an AgCom in Dartmouth allows our farmers and our town to take responsibility for ensuring that agriculture flourishes.”

~ Susan Guiducci, Chair -Ag Preservation Trust Council, AgCom member, Apponagansett Vineyard, Dartmouth

How can my community create an AgCom?

The following procedure is based on experiences in towns in the Commonwealth.

See Appendix B for an example of the ordinance process used by the City of Pittsfield.

Common steps:

These steps apply to those towns that have organized and can be easily applied to a city situation.

1. Individuals or groups have expressed an interest in organizing an agricultural commission and a leader/organizer emerges.
2. If there is a need for technical information and support for organizing, contact the Massachusetts Department of Agricultural Resources (MDAR), Pilgrim Resource Conservation & Development (RC&D), Community Involved in Sustaining Agriculture (CISA), American Farmland Trust (AFT), and Massachusetts Farm Bureau Federation (MFBF).

See Resources for contact information.

3. Leaders and those interested in creating an AgCom assess the interest in their community. Talk to farmers, community decision makers, residents, boards, and committees.
4. Support is gathered from farmers and town leadership for a public exploratory/educational meeting regarding organizing an AgCom in town.
5. An AgCom Exploratory Meeting is organized to determine if creating an AgCom is a good idea for the community.
 - Invite farmers through written letters of invitation; invite residents and the public through press releases and newspaper articles.
 - Request members of established AgComs to speak about why they organized, what they do and the benefits of having an AgCom.
 - Ask an active farmer, Town Administrator and/or Selectman to facilitate the meeting.
 - After presentations, questions and answers, the facilitator asks the audience:

Is an AgCom a good idea for our town?

Do you think we should organize an AgCom in town?

- The facilitator asks for a show of hands by those interested in serving on an AgCom steering committee (to begin planning the creation of an AgCom).
- A group of steering committee volunteers convenes immediately following the meeting and agrees on a date, place and time to meet.

It is important to include a member of the Board of Selectmen, City Council, and town staff such as the town planner, administrator, health agent and/or conservation agent on the AgCom steering committee

6. The steering committee meets soon after the exploratory meeting.

The purpose of the steering committee is to develop an article for the Town Meeting warrant and prepare for the Town Meeting by educating the public and town officials about the article and its benefits to the community.

Not all towns go through this steering committee process. The following purpose and actions are provided for those towns and cities that do.

Actions commonly taken by steering committee:

- Select a chairperson
- Develop a plan of action to prepare for Town Meeting that includes:
 - Date of next town meeting
 - Date when article must be submitted to Board of Selectmen for inclusion on town warrant
 - Review of AgCom bylaws voted by other towns
 - Draft of warrant article
 - Submission of warrant article to Board of Selectmen and Town Counsel for review and submit by deadline.
 - Development and implementation of a public education plan for AgCom warrant article

See Appendix C for Carver's AgCom Steering Committee Education Plan.

7. Town Meeting: Article is presented at Town Meeting – discussion, questions, vote
8. Board of Selectmen solicits applications for AgCom membership. Often the Board of Selectmen, the appointing authority, will seek the advice of the AgCom steering committee in the review of applications for membership and requests recommendations on appointments.

Steering committees may also provide the appointing authority with guiding principles that they recommend to be used for AgCom member appointments

Example of guiding principles for AgCom member appointments:

- Adequate geographic distribution of membership
- Representation from a cross section of commodity groups (dairy, cranberries, vegetables, orchard, hay, horses, forest products)
- Large, medium and small farms are represented
- Members are connected to the agricultural community and can adequately represent the agricultural community

Recommended process for soliciting AgCom membership: (Used in Westport)

- Develop and run a simple newspaper ad stating that the Board of Selectmen is soliciting applications from individuals interested in serving as AgCom members
- Time the ad to run simultaneously with a direct mailing to those on your mailing list (list used for informational meeting)
- Give applicants about two weeks to send letters of application to the Board of Selectmen.
- Board of Selectmen reviews applications
- Board of Selectmen makes selections

9. Board of Selectmen notifies members in writing (with list attached of all members/addresses and phone numbers). This letter also charges them to meet within a certain date.

10. Board of Selectmen facilitates the first meeting of the appointed AgCom membership.

Assistance for organizing an AgCom

There are resources available to anyone seeking to organize an AgCom in their community. Please contact the organizations below and review the list of supporting organizations and agencies in the Resource section of the handbook.

Massachusetts Department of Agricultural Resources

Contact: Kent Lage, (617) 626-1702; Kent.Lage@state.ma.us

Pilgrim RC&D Area Council, Inc. also provides one-on-one assistance throughout the process of organizing an AgCom.

Serving: Bristol, Plymouth, Barnstable, Dukes and Nantucket counties

Contact: Irene Winkler, (508) 295-1317 ext. 130; irene.winkler@ma.usda.gov

Ag Commission Toolkit on CD-ROM. The Pilgrim Resource Conservation and Development (RC&D) Area Council has developed a unique resource for farmers, residents and town officials concerned about maintaining farms and farming in their community. "A Toolkit for Organizing a Town Agricultural Commission" is a package of materials on CD-ROM that will guide the user through the process of organizing an agricultural commission. Please visit www.pilgrimrcd.org or www.mass.gov/AGR for more information.

See Appendix D for contents of this CD.

Community Involved in Sustaining Agriculture (CISA)

Serving: Franklin, Hampshire and Hampden counties

Contact: Annie Cheatham, (413) 665-7100; annie@buylocalfood.com

American Farmland Trust

Serving: All of Massachusetts

Contact: Cris Coffin or Bob Wagner, (413) 586-9330; ccoffin@farmland.org, bwagner@farmland.org

Massachusetts Farm Bureau Federation

Serving: All of Massachusetts

Contact: Carl DeMatteo, (508) 881-4766; cdematteo@massfarmbureau.org